

REMARKS

Pending Claims

Claims 1-14 are currently pending.

Objection of Priority

The Office Action acknowledged Applicants' claim of priority as a continuation of International Application PCT/JP99/05423. However, the Examiner indicated that the priority claim has not been properly perfected because (1) the PCT application was not published in English and no translation of the PCT application has been presented; and (2) there is no statement that the translations of the two foreign priority documents filed on June 1, 2001 are accurate as required under 37 CFR §1.55(4). Applicants are submitting herein for purposes of perfecting the priority claim, the following priority documents:

1. A certified copy of JP 296138-1998, an English translation of JP 296138-1998 with a statement that the translation is accurate;

2. A certified copy of JP 296139-1998, an English translation of JP 296139-1998 with a statement that the translation is accurate; and

3. A copy of PCT/JP99/05423, an English translation of PCT/JP99/05423 with a statement that the translation is accurate. The English translation of PCT/JP99/05423 is identical to U.S. Application Serial No. 09/821,654 (the present application).

The Examiner has indicated that submission of the above priority documents would be sufficient to perfect the priority claim. Thus, by submission of the above documents, Applicants respectfully request withdrawal of the objection.

Hosoya *et al.*

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Amendment and Reply

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Rejection of claims 1-14 under 35 U.S.C. §102(a)

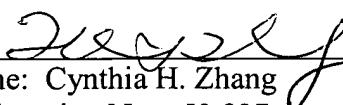
Claims 1-6 have been rejected under 35 U.S.C. §102(a) as being anticipated by Hosoya et al. (2001; *Exp. Eye Research*, vol. 72, pp163-172). Claims 7-10 have been rejected under 35 U.S.C. §102(a) as being anticipated by Kitazawa et al. (2001; *Pharmaceutical Research*, vol. 18, no. 1, pp16-22). Claims 11-14 have been rejected under 35 U.S.C. §102(a) as being anticipated by Hosoya et al. (2000; *J. Drug Targeting*, vol. 8, no. 6, pp357-370). The Examiner indicated that this rejection could be overcome by perfecting the priority claim as described above. Applicants submit that submission of the above priority documents is sufficient for the present application to obtain benefit of the cited priority documents and makes the priority date of the present application earlier than the publication dates of the cited prior art. Therefore, the cited references are no longer prior art and Applicants respectfully request the withdrawal of the claim rejections under 35 U.S.C. §102(a).

CONCLUSION

Applicants submit that in light of the submission of the priority documents, all of the stated grounds of rejection have been rendered moot. Applicants therefore respectfully request that the examiner reconsider all the presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Prompt and favorable consideration of this response is respectfully requested.

Respectfully submitted,

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